

REISSUE

Docket 75036DAN
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Dale F. McIntyre, et al

HYBRID CAMERA SYSTEM
WITH ELECTRONIC ALBUM
CONTROL

Reissue Application No.

Filed Herewith

Reissue for U.S. Patent 5,940,121
Issued 17 August 1999

Group Art Unit:

Examiner:

Express Mail Label No. EL656967578US

August 9, 2001
Date

Honorable Assistant Commissioner for Patents

Box Patent Applications

Washington, D.C. 20231

Sir:

DECLARATION OF MARY ELIZABETH READ

I, Mary Elizabeth Read, declare:

1. I am Manager of Patent Operations at Eastman Kodak Company ("Kodak") and have held that position since 1988.
2. My responsibilities include: (1) overseeing the functions of the Kodak Patent Legal Staff's paralegal support staff, including docketing, payment of maintenance fees and renewals, instituting foreign filings, and maintaining PCT files as well as (2) establishing the Kodak Patent Legal Staff's administrative procedures.
3. On August 18, 1992, I implemented Kodak's policy (copy attached) of destroying all original U.S. patents once appropriate computer entries had been entered in our docketing system. U.S. patents which issued prior to August 18, 1992, were removed from storage in Kodak archives and destroyed pursuant to this policy.

09927036-080901

4. As indicated in the attachment, the Kodak Patent Legal Staff was advised by Murriel E. Crawford, Associate Solicitor, U.S. Patent and Trademark Office, that Kodak's policy of destroying original U.S. patents would satisfy the "inaccessible" requirement of 37 CFR § 1.178.

5. Original U.S. Patent 5,633,678; granted May 27, 1997, has been destroyed, pursuant to Kodak's above-described policy, and therefore, that patent is inaccessible.

6. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

July 24, 2001
Date

Mary Elizabeth Read
Mary Elizabeth Read

MERead/p-w

Telephone: (716) 722-9893

Facsimile: (716) 588-7413

Attachment

00927036-030901

OFFICIAL COPIES OF U.S. PATENTS

Effective August 18, 1992:

All official "ribboned" copies of U.S. Patents will be destroyed after the appropriate computer entries are made in our internal data base.

Those U.S. Patent currently stored at Concord Archives will be destroyed.

U.S. Assignments will be retained for the life of the patent by Patent Operations.

With regard to reissue proceedings, the text of a letter dated July 6, 1992, to J. Jeffrey Hawley from Murriel E. Crawford, Associate Solicitor at the USPTO follows:

"The 'ribbon copy' of a patent need not be surrendered in a reissue proceeding if it has been destroyed or discarded. A declaration stating that Kodak destroyed or discarded the 'ribbon copy' would be sufficient to base a conclusion of 'inaccessibility'.

However, if Kodak gives the 'ribbon copy' of the patent to someone such as the inventor, Kodak would be required to seek to obtain the 'ribbon copy' before same would be considered 'inaccessible'."

This procedure has been approved by Patent Legal Staff Management.

9/15/92 - MER

09/15/92 10:00:01